

MINUTES OF THE WORK SESSION MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
MONDAY, APRIL 18, 2005.

The City of Springfield council met in a work session in the Jesse Maine Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, April 18, 2005 at 6:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Ballew, Ralston, Lundberg, Woodrow and Pishioneri. Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

Councilors Fitch was absent (excused).

1. I-105 Preservation Project Public Outreach.

Transportation Manager Nick Arnis presented the staff report on this item. ODOT has started the \$13 million I-105 preservation project from Delta Highway to I-5. To help mitigate for the construction traffic congestion, the metro area Commuter Solutions program has formed a committee called the Congestion Mitigation Program Design Team that will provide public outreach about lane closures and alternative ways to travel during and after the I-105 project.

The ODOT I-105 preservation project will require major lane closures beginning in late April and continuing through the month of May. In fact, nighttime closures have begun on the project. In an effort to provide the public with information about the project impacts and lane closures, the Commuter Solutions program, working closely with ODOT and the Lane Council of Governments (LCOG) formed a public /private partnership called the Congestion Mitigation Program (CMP) Project. CMP will inform the public about large construction projects in the metro area, such as the I-105 project and offer ideas and ways to travel by avoiding the project area or using other forms of transportation. A website, [www.KeepUsMoving.info](http://www.KeepUsMoving.info), has been created for the public to access regarding information about the I-105 project and the Commuter Solutions program. This website is intended to remain active for many years in order to give the public information about large metro area road projects and developments that create traffic congestion. For instance, the RiverBend and Martin Luther King Jr. Parkway projects will be posted on the website which includes the multi-lane roundabout at the Hayden Bridge/Pioneer Parkway intersection.

Mr. Arnis introduced Chris Watchie from Commuter Solutions and Petra Schuetz from Lane Council of Governments (LCOG). Mr. Arnis also acknowledged Niel Laudati from the Environmental Services Department who was part of the committee looking over the mitigation program for the I-105 Preservation Project. Mr. Arnis said work on this project had begun and was being conducted during the night. In May, construction would be more intense and would occur during the day. The work session was to discuss the demand sites and educating the public regarding closures and options for alternate routes. Mr. Arnis acknowledged Brian Barnett, Traffic Engineer, who was working with metro area traffic engineers and ODOT to get an idea of where traffic would be traveling during this construction. The Commuter Solutions Committee was working as a private/public partnership to educate the public.

Ms. Watchie said she was heading up the congestion mitigation program for Commuter Solutions. She said this project was the largest regional effort Commuter Solutions had embarked upon to increase awareness of transportation options throughout the region. The Transportation Options Committee, made up of representatives from Springfield, Eugene, Lane County, LCOG and Lane Transit District (LTD), looked at the unprecedented period of construction projects confronting our region and felt it was a prime opportunity for Commuter Solutions to work closely with the region's partners on a congestion mitigation program. This project had linked together in partnership ODOT, the Oregon Department of Energy, the cities and counties to understand the benefit the two programs could share.

Ms. Watchie said there were three CMP phases looking out over the next five to ten years. The first phase was the I-105 construction project, the second phase would be the EmX Franklin Boulevard Corridor, and the third phase beginning in 2006 would be the I-5/Beltline Interchange, the intersection project, Pioneer Parkway and the Springfield/RiverBend project. The immediate goals of the CMP were to increase awareness of transportation options throughout the region and to decrease congestion by allowing the community to know well ahead of time the closures that would be occurring and options they could employ. The long-term goal was to increase the use of transportation options, decrease vehicle miles traveled and prolong the public investment and protect the infrastructure by carpooling, vanpooling, riding transit, walking, and biking.

Ms. Watchie said the outreach strategies included giving people information on the individual level, neighborhood level, community level, and regional level. She discussed the outreach they had conducted to schools, businesses, and the Chamber of Commerce. She said this had been an extremely positive program and they had received many thanks for letting people know ahead of time of the transportation options. She said ODOT had very few complaints about the program thus far. In the long-term this would be helpful and increase transportation options. She referred to the website LCOG and Commuter Solutions created at [www.KeepUsMoving.info](http://www.KeepUsMoving.info) which was the nexus of all information in the community about projects. She distributed a flier that had been distributed throughout the community. Convention and Visitors Association of Lane County (CVALCO) had been key in getting this information out to the community.

Ms. Schuetz added that LCOG had done a communications plan around the project specifics. The goals would be to detail detour information and the closure details for this complex project with five separate closures. For each closure, they were able to provide a graphic of suggested alternative routes with a narrative to explain other routes and accesses. They encouraged businesses and organizations to download the project information from the download section of the website. She described the other outreach methods being used to get the information out to the public.

Ms. Watchie said LTD usually had two to three requests about their discounted bus pass program for businesses per month. She said that in the past month, they had received over seventy requests and the program had increased its discounted bus pass program by ten businesses.

Councilor Pishioneri asked if there was a way to sign up to get updates via emails.

Ms. Schuetz said there was a place on the website to sign up for updates. There were three different distribution lists. Ms. Schuetz said she would respond to questions within twenty-four hours. One group would receive weekly updates with information about alternative modes of transportation in conjunction with new closure dates. The second group would be for policy

makers and elected officials. The third group would be for emergency service people for construction zone access. There would be a fourth group for the media.

Ms. Watchie said they had over five hundred emails representing businesses.

Ms. Schuetz said they would like businesses to interact with the website and to add or remove their names. At policy level, the Metropolitan Policy Organization (MPO) discussed project coordination around large projects. They would like to highlight the top five projects and have information regarding which jurisdiction was paying for and involved in each project.

Councilor Pishioneri asked if the updates would be for the entire project.

Ms. Watchie said the updates would be overall updates at this time.

Mayor Leiken said they also had public service announcements and he would assume they also sent this information to the radio stations for morning commute broadcasts.

Ms. Watchie said they had been working with radio stations and were also working with LTD who could transmit traffic congestion to ODOT.

Ms. Schuetz said the radio stations had been excited about getting the information and the partnership. ODOT would be sharing some additional information as well.

Ms. Watchie said they had been working with the regional design team, which included representatives from the jurisdictions and the larger trip generators, such as the hospitals. The first aerial banner would be placed on May 9 in front of McKenzie Willamette Hospital.

Mr. Arnis said Mr. Laudati would send out an update to city employees and develop a plan to help guide the city through this project.

Councilor Ballew asked if work would be done on Franklin Boulevard next year.

Mr. Arnis said that was correct.

Councilor Lundberg asked if there would be something similar to the flier that could be distributed to customers at businesses that listed radio stations and website information. She referred to the retired citizens and others who would not be on anyone's employee base.

Ms. Watchie said significant outreach had been done to neighborhood groups, churches and some retail centers. Nearly all of the 50,000 informational pamphlets had been distributed. She asked council to let them know via the website if they had additional ideas for outreach.

Councilor Pishioneri asked about the potential for live webcams.

Ms. Watchie said KMTR had a new webcam, but there were none for this project yet. There was not enough funding at this time. It would be extremely helpful during Phase 3 in the Gateway area.

## 2. Justice Center Construction Contract Options.

Project Manager Carole Knapel presented the staff report on this item. On January 18, 2005, staff presented a report on project activities for the Justice Center Project. At that time, the council provided direction on the Citizen Advisory Committee. Staff will report on the status of the appointment process. Staff will also report on an alternative contracting strategy which may be used for the Project. If council determines to utilize the alternate strategy, this decision will need to be incorporated into the architect selection process.

Staff has met with the Police Planning Task Force and received recommendations for appointments to the Citizen Advisory Committee. In addition, staff has begun the process to advertise and select the other members.

Staff has also completed some research on the options available for construction of the new facility. The research suggests that the project may benefit from the use of the alternative contracting method referred to as Construction Manager/General Contractor (CM/GC). This option is allowed under Oregon contracting regulations. The attached materials provide some information on this alternate method and also provide information on some projects where this method has been utilized.

Ms. Knapel distributed a document that included phases, times and steps of the Facility Development Process that came from the training session in Utah. She said she was asking the city to consider a non-traditional way of contracting for the Justice Center construction project. She said the method council chose to use would have implications regarding selection of the architect and other steps. It would help set the stage for how progression of the project would occur.

Ms. Knapel said the handout explained the different phases of the project: Phase I – Pre-architectural Planning; Phase II – Site Selection and Planning; Phase III – Architectural and Engineering Design; Phase IV – Construction; and Phase V – Occupancy. She said the facility design process described in Attachment A, page 3 in the agenda packet, described specific steps for the Justice Facility Project. The program document would describe what the project would be in narrative terms. Once the architect had the program in hand, they would begin the design process. She discussed each design process. She described the traditional design/bid/build process that the city had used in the past. She discussed the advantages and disadvantages to this type of process as outlined in Attachment A, page 3 in the agenda packet.

Ms. Knapel discussed the alternative of the Construction Manager/General Contractor (CM/GC) process. She said this was different because the CM/GC was chosen during the early stages of the design. There would be more of a team approach having them involved throughout the whole process. She described the advantages of this process as outlined in Attachment A, page 4 in the agenda packet.

Mayor Leiken said he had seen cases where the construction manager and the general contractor were separate. He said it would make sense if they were one and the same, but council needed to look at both options.

Ms. Knapel said the process she was discussing was combining them into one person. She said the benefit would be less cost and less people involved. Having them as one person would provide the benefit of their experience and would transfer some of the liability for the risk of construction to the CM/GC at the point of construction. In some jurisdictions, this position is called CM – At Risk.

Mayor Leiken said he worked on a project in Texas where they had a separate construction manager. It was a very large project and the public facility project would not need a separate construction manager.

Ms. Knapel said in the 1980's there were a number of CM firms and they were used for scheduling purposes to shorten the schedule.

Councilor Pishioneri asked if there were cases where the construction manager was involved in the engineering process.

Mr. Kelly said there was another process not mentioned in the presentation which was known as Turnkey. This process would include hiring a contractor who would then supply the architect and engineer. This was a different process where the architect was separate and worked for the city. A separate contractor would be hired to work with the architect to result in a good product within budget. He said the traditional approach included hiring the architect and then putting out bids for the construction.

Councilor Pishioneri asked if that was similar to what was being used for the Royal Caribbean project with a Construction Manager.

Mr. Kelly said they did have a Construction Manager, but with a slightly different process.

Ms. Knapel said using the Turnkey approach would cause the city to lose control over the design. She discussed the disadvantages of the CM/GC process as outlined in Attachment A, page 4 in the agenda packet. She discussed a study performed by Oregon State University regarding the CM/GC process as described in Attachment 1, page 5 in the agenda packet. She discussed projects in other communities and cost savings that were part of those projects when using the CM/GC process as outlined in Attachment A, page 7 in the agenda packet.

Mr. Kelly said he had asked Ms. Knapel to note any failures with this process. He said they were unable to find sources that said it failed; however, there were communities that found this process was not one hundred percent successful.

Ms. Knapel said at the training in Colorado she spoke with some people from Jackson County that were planning a new jail facility. They had mentioned that they had used the CM/GC process for other county projects and they found it very successful. The CM/GC process was also used for the jail project Ms. Knapel toured while in Colorado.

Councilor Lundberg asked about the negotiated costs as noted on the Safeco Park project listed in Attachment A, page 7 in the agenda packet.

Ms. Knapel said in that particular case, the owner had requested the changes. Those changes were renegotiated in a separate package for the cost.

Councilor Lundberg confirmed that it wasn't something unanticipated.

Councilor Ballew asked about the total savings related to projected costs.

Ms. Knapel said the total savings was from the guaranteed maximum price. Depending on how the contract was negotiated, the savings could be split between the contractor and the owner. She said the books were always open during the project and the owner could see the actual costs involved.

Councilor Ballew said basically it would be using an outside construction manager rather than the city staff.

Ms. Knapel said it was not precisely that. She said in a traditional project, if the city hired a contractor, that contract would have a project manager to manage construction. The city's project manager would still be involved throughout the process to make sure the CM/GC was doing the work as agreed upon, if changes were made they would be included in the guaranteed maximum price or if the scope of work was to change they would be negotiated. The city's involvement would not be reduced.

Mr. Kelly said under traditional public works projects that were fairly small, city staff would design and put them out to bid for award. The contractor hired by the city would have a job foreman and the city would send inspectors to check the work. There would be no middle person because those types of projects were not complex enough for the city to hire a separate construction manager. In the public facility project, when all the plans were done and the contractor finished building it, the city would still send out inspectors. At the front end, the design for this project would be done by the architect, so that wouldn't be a change. The change would come in the middle when a contractor would be brought in to work with the architect to give input. Together they could work to give the city the best product within our budget.

Mr. Brown compared this process to peer review which was used for the Metropolitan Wastewater Management Commission (MWMC) projects. The CM/GC process would allow the contractor and architect to work together to benefit the entire project and incur cost savings. Staff would still be involved as usual.

Mr. Kelly described how it could delay the project by having the design prepared by the architect prior to a contractor being hired. This would allow the architect and contractor to give the city the best product within the city's means.

Councilor Lundberg asked about the process to choose the contractor.

Mr. Kelly said the contractor would be bid on their expertise, knowledge, experience and a number of other things besides cost. The contractor would then assure the city that they would not exceed the funds the city had available. The contractor would compete on a quality basis rather than a cost basis.

Mr. Leahy referred to the selection criteria referred to in Attachment A, page 6 in the agenda packet.

Mayor Leiken asked if there could be incentives.

Ms. Knapel said the incentives would be the amount saved which could be split between the city and contractor.

Councilor Ballew asked about restrictions when spending bond money.

Ms. Knapel said there were legal requirements if council chose this process. There must be findings on the part of the contract review board, which would be the council. The findings must show that there would not be any diminished competition, no favoritism was encouraged, no nepotism and there would be substantial cost savings. At the end of the project, the city would have to file their report with the results stating whether or not there were cost savings. If the city chose to go forward with this process, it would affect how the architect was selected. A public hearing would need to be held to present the findings of whether or not this was an appropriate way to proceed.

Mr. Kelly said the architect would need to be notified in the Request for Proposal (RFP) that the city was going to use this process and they would work with the Construction Manager. Everyone's role would be different.

Mr. Leahy said the new contracting law passed by council had good criteria for this process.

Councilor Woodrow said he felt it was a good way to go providing the city could use the bond money in that way.

Mr. Leahy said the bond money could be used in a manner allowable under state law in terms of public bidding. This proposed process was allowable.

Mayor Leiken asked how specialized the contractor for this type of project would need to be.

Ms. Knapel said they would need to be very specialized.

Mayor Leiken said there may not be a large number of applicants with that type of expertise.

Councilor Ballew said the building would not just house a jail, but also the public safety offices. She suggested a general contractor for the main building with a subcontractor for the jail portion.

Ms. Knapel said she met with the Police Planning Task Force (PPTF) and they identified three members they would like to recommend to the citizen advisory committee (CAC). Staff would go forward with the advertisement for the other members. She asked if council wanted to interview those applicants or if they would prefer staff making recommendations to the council. She said the membership of the CAC included the council liaison (Councilor Woodrow), three members from the PPTF (Steve Singleton, Fred Simmons and Don Moloney were recommended by the PPTF), two downtown business representatives, one architect and two at-large members.

Councilor Lundberg said she would like to interview the applicants.

Discussion was held regarding interviewing the applicants versus reviewing the applications.

Ms. Knapel said the members would be asked to commit to three year terms.

Council consensus was to interview the applicants.

#### ADJOURNMENT

The meeting was adjourned at 6:58 pm.

Minutes Recorder – Amy Sowa

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Sidney W. Leiken  
Mayor

Attest:

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Amy Sowa  
City Recorder